## Cumulative Table of Cases Connecticut Appellate Reports Volume 206

## (Replaces Prior Cumulative Table)

Allen v. Shoppes at Buckland Hills, LLC	284
Bellerive v. Grotto, Inc  Workers' compensation; whether Compensation Review Board properly reversed decision of Workers' Compensation Commissioner determining that certain insurance coverage was in effect on date of plaintiff's injury; claim that defendant insurer's notice of cancellation of policy pursuant to statute (§ 31-348) was ineffective because it was not made in accordance with requirements of statute (§ 31-321); whether certain common-law theories supported finding that insurance coverage was in place on date of loss under facts of case.	702
Boyajian v. Planning & Zoning Commission	118
Zoning; whether plaintiffs' failure to appeal from decision of zoning board of appeals that granted application for variance rendered their opposition to planning and	
zoning commission's decision to grant special permit to same individual based on variance impermissible collateral attack on validity of variance.	
Bray v. Bray	46
Dissolution of marriage; postjudgment motion for contempt; claim that trial court incorrectly determined that meaning of term "net," as used in parties' separation agreement, was clear and unambiguous; claim that trial court incorrectly deter-	
mined that separation agreement did not contemplate consideration of defend-	
ant's net income to calculate amount of his bonus and stock income that was subject to distribution to plaintiff.	
Buehler v. Newtown	472
Negligence; motion for summary judgment; claim that trial court improperly determined that no genuine issue of material fact existed as to whether plaintiff was identifiable victim who fell within identifiable person-imminent harm exception to governmental immunity doctrine; whether plaintiff's presence on premises was voluntary.	
Capone v. Nizzardo	645
Partition of real property; claim that trial court committed plain error when it determined highest and best use of property without reviewing applicable zoning regulations; whether plaintiff met either prong of plain error doctrine; claim that trial court's determination of highest and best use of property was clearly erroneous.	010
Carrasquillo v. Commissioner of Correction	195
Habeas corpus; whether habeas court properly concluded that petitioner was not denied right to effective assistance of counsel; whether trial counsel adequately advised petitioner regarding plea offer.	100
Charles v. Commissioner of Correction	341
Habeas corpus; ineffective assistance of trial counsel; whether habeas court properly determined that petitioner failed to demonstrate that it was objectively unreasonable for trial counsel to pursue defense of third-party culpability instead of self-defense; whether habeas court's factual findings were clearly erroneous; whether habeas court's factual findings amounted to harmless error.	
Chief Disciplinary Counsel v. Elder	515
Attorney presentment; appeal from judgment of trial court reprimanding defendant attorney; claim that trial court erred in denying defendant's motion to dismiss presentment complaint because reviewing committee took more than ninety days to render its final written decision in contravention of statute (§ 51-90g (c)) and applicable rule of practice (§ 2-35 (i)); claim that trial court erred in denying motion to dismiss presentment complaint because reviewing committee consid-	313
ered allegations outside scope of probable cause determination.	

Clark v. Waterford	223
decision of Workers' Compensation Commissioner that plaintiff employee's claim for benefits under Heart and Hypertension Act (§ 7-433c) was compensable; whether plaintiff was member of paid municipal fire department eligible for benefits pursuant to § 7-433c while he was employed as part-time firefighter; claim that term "member" in § 7-433c is defined by statute (§ 7-425 (5)).	
Cocchia v. Testa	634
Cooke v. Williams  Legal malpractice; fraud; ripeness; subject matter jurisdiction; whether claim that defendants provided deficient representation with respect to plaintiff's prior habeas corpus action was ripe for adjudication when plaintiff remained validly incarcerated and his conviction has never been invalidated; whether claim alleging fraudulent and improper fee practices by defendants was ripe for adjudication.	151
Cruz v. Commissioner of Correction	17
Dunn v. Northeast Helicopters Flight Services, L.L.C	412
Fenner v. Commissioner of Correction	488
Frantzen v. Davenport Electric	359
Gibson v. Jefferson Woods Community, Inc	303
Graham v. Commissioner of Transportation	497

Guiliano v. Jefferson Radiology, P.C	603
Medical malpractice; whether trial court abused its discretion by sustaining objections by defendant's counsel to certain questions posed to plaintiff's expert witness on direct examination; whether trial court abused its discretion by imposing time limitation on presentation of witness' testimony; whether time limitation imposed on witness' testimony constituted violation of plaintiff's constitutional rights.	
Gutierrez v. Mosor	818
Hasan v. Commissioner of Correction	695
Holloway v. Carvalho	371
In re Annessa J	572
In re Naomi W	138
Kenmore Road Assn., Inc. v. Bloomfield	877
KeyBank, N.A. v. Yazar	625

sure action that was later dismissed to satisfy its own notice requirements in separate foreclosure action.	
Lift-Up, Inc. v. Colony Ins. Co	855
Declaratory judgment; summary judgment; claim that trial court erred in holding that exclusion provisions under insurance policy pertaining to assault or battery applied to plaintiffs' claims and that there was no coverage under policy; whether certain conduct constituted assault or battery or both; whether certain injuries arose out of assault or battery or both; claim that trial court improperly confined its analysis to operative complaint and refused to consider certain pieces of extrinsic evidence; whether certain documents were sufficient to support plaintiffs' claims that defendant insurance company had duty to defend.	
Marshall v. Commissioner of Correction .  Habeas corpus; whether habeas court abused its discretion in denying petition for certification to appeal; whether habeas court improperly dismissed petition for writ of habeas corpus; claim that imposition of term of incarceration and period of special parole constituted two distinct sentences for same offense, violating petitioner's federal and state constitutional rights to be free from double jeopardy.	461
Mecartney v. Mecartney  Dissolution of marriage; postjudgment motion for contempt; whether trial court erred in its interpretation of its previous order; whether trial court exceeded its equitable authority in imposing certain conditions in subsequent order to protect integrity of its earlier judgment.	243
Monts v. Board of Education	106
Disability discrimination; claim that trial court erred by failing to charge jury on plaintiff's claim of interference with Family and Medical Leave Act of 1993 (29 U.S.C § 2601 et seq.); claim that trial court erred by admitting letter prepared by plaintiff's coworker into evidence under business records exception to hearsay rule; claim that trial court erred by refusing to admit into evidence certain medical records of plaintiff.	100
Nikola v. 2938 Fairfield, LLC	178
Foreclosure; motion for deficiency judgment; claim that trial court incorrectly concluded that it was not barred by doctrine of res judicata from determining amount of deficiency judgment; claim that certain findings from Probate Court as to amount of deficiency barred further litigation; whether trial court properly included in deficiency judgment certain tax liens paid by plaintiff.	
Nussbaum v. Dept. of Energy & Environmental Protection	734
Onthank v. Onthank	54
Breach of contract; whether trial court properly concluded that plaintiff substantially complied with notice of default provision of promissory note; claim that trial court erred in its calculation of damages awarded to plaintiff.	
Regional School District 8 v. M & S Paving & Sealing, Inc	523
Rockstone Capital, LLC v. Caldwell	801
Foreclosure; claim that trial court improperly determined that settlement agreement secured by defendants' real property was procedurally and substantively unconscionable with respect to one defendant; whether defendant received consideration for her agreement to mortgage her interest in her jointly owned residence to secure debt of another defendant.	
Saunders v. KDFBS, LLC	92
State v. Collins	438
Possession of narcotics with intent to sell; motion for mistrial; motion to suppress; whether trial court abused its discretion when it denied motion for mistrial	

based on claim that police officer gave testimony on ultimate issue of intent; whether, pursuant to State v. Nash (278 Conn. 620), police officer's expert opinion regarding hypothetical suspect's intent to sell drugs based on amount of drugs in suspect's possession constituted testimony on ultimate issue of defendant's intent; whether trial court abused its discretion when it denied motion for mistrial based on claim that police officer gave testimony that contained reference to defendant's prior misconduct; whether trial court properly denied defendant's motion to suppress evidence; claim that police affidavit in support of application for search warrant did not establish probable cause.	
State v. Felimon C	727
Sexual assault in second degree; risk of injury to child; motion to correct illegal sentence; mootness; claim that sentencing court lacked authority pursuant to statute (§ 53a-30) to impose condition of probation prohibiting defendant from contesting adoption of child conceived as result of sexual assault; whether appeal was rendered moot by termination of defendant's parental rights and adoption of child.	121
State v. Gamble	837
Motion to correct illegal sentence; manslaughter in first degree with firearm; whether trial court improperly dismissed motion to correct for lack of jurisdiction on ground that motion attacked conviction, and not sentence; claim that defendant's sentence was illegally enhanced on basis of fact not found by jury.	331
State v. Gordon	70
Larceny of elderly person by embezzlement in second degree; claim that trial court improperly admitted into evidence testimonial hearsay statement of victim in violation of defendant's constitutional right to confrontation; claim that defendant was deprived of due process rights when prosecutor engaged in prosecutorial impropriety by making substantive use of testimonial hearsay statement in closing rebuttal argument; whether witness' testimony regarding victim's statement constituted hearsay; whether defendant was harmed by admission of witness' testimony regarding victim's statement; whether this court needed to reach merits of defendant's prosecutorial impropriety claim.	
State v. Green	253
Assault in first degree; whether this court had subject matter jurisdiction to review merits of trial court's dismissal of defendant's postsentencing motion to withdraw his guilty plea; whether defendant's appeal of dismissal of postsentencing motion to withdraw his guilty plea was justiciable; whether this court should have invoked its supervisory authority pursuant to applicable rule of practice (§ 60-2) to treat appeal of dismissal of postsentencing motion to withdraw defendant's guilty plea as authorized late appeal of his judgment of conviction.	256
State v. Lane	1
Assault in first degree; whether trial court abused its discretion in denying motion to disqualify trial judge; claim that this court should revisit precedent set by State v. Milner (325 Conn. 1) and require recusal of judicial authority when there is appearance of partiality, in absence of actual partiality; whether trial court abused its discretion in admitting photographs of victim's injuries into evidence; claim that photographs of victim's injuries were irrelevant and unduly prejudicial.	
State v. Marshall	209
Motion to correct illegal sentence; claim that trial court erred in concluding that defendant was properly sentenced as persistent serious felony offender pursuant to (Rev. to 2007 § 53a-40 (j)); claim that trial court erred in concluding that defendant varived right to jury trial on public interest determination and that he was not required to admit that extended incarceration would best serve public interest; whether trial court properly rejected claims regarding defendant's right to probable cause hearing and revocation of parole because they did not attack defendant's sentence.	
	660
State v. Morlo M	660

 $first\ degree;\ claim\ that\ defendant's\ intent\ to\ unlawfully\ restrain\ victim\ was\ not$ 

independent from defendant's intent to assault victim; whether trial court abused its discretion in admitting evidence of two incidents of prior misconduct in which defendant was alleged to have assaulted victim; claim that probative value of prior misconduct evidence was outweighed by prejudicial effect; claim that prior misconduct evidence was likely to arouse emotions of jurors and sympathy toward victim.	
State v. Quintiliano	712
State v. Stephanie U.  Operating motor vehicle while under influence of intoxicating liquor or drugs; operating motor vehicle while operator's license was suspended; attempt to commit risk of injury to child; whether prosecutor violated defendant's state constitutional rights to confront witnesses against her and to testify on her own behalf by improperly attacking her credibility during cross-examination and in closing rebuttal argument by suggesting that she had tailored her testimony to conform to evidence she overheard during trial; whether prosecutor denied defendant due process of law under either federal or state constitution when she asked, during cross-examination, whether defendant had interest in outcome of trial and when she told jury during rebuttal argument that it could consider defendant's vested interest in outcome of trial; whether prosecutorial impropriety deprived defendant of fair trial when prosecutor argued that defendant had tailored her testimony and that she had motive to lie; claim that this court should have ordered new trial after employing its supervisory authority to prohibit questions and arguments that amount to generic tailoring or imply that jury could discredit defendant's testimony because she had interest in outcome of her trial; claim that defendant's conviction of attempt to commit risk of injury to child should be vacated because it was not cognizable crime.	754
Stevenson v. Commissioner of Correction	275
State v. Santiago	390
State v. Williams	539

hearing or to appoint counsel for defendant after it granted his request to repre-	
sent himself.	
Swanson v. Perez-Swanson	266
Dissolution of marriage; motion to dismiss postjudgment motion for modification	
of custody; whether trial court erred in determining that it lacked jurisdiction	
to enter additional orders regarding child custody and visitation pursuant to	
applicable statute (§ 46b-1151).	
U.S. Bank, National Assn. v. Fitzpatrick	509
Foreclosure; judgment of foreclosure by sale; whether trial court erred in granting motion to approve sale without newspaper advertisements; motion to terminate	
stay; mootness; right of redemption.	
Villanueva v. Villanueva	36
Breach of contract; implied in fact contract; damages; statute of limitations; whether	
trial court erred in finding implied partnership agreement between parties;	
whether trial court erred in concluding that plaintiff provided credible evidence	
of his damages; whether trial court improperly rejected defendant's special defense	
that plaintiff's action was barred by three year statute of limitations (§ 52-577).	
Warzecha v. USAA Casualty Ins. Co	188
Breach of insurance contract; declaratory judgment; whether defendant had duty to	
defend and to indemnify plaintiff pursuant to homeowners insurance policy in	
action alleging negligent infliction of emotional distress; whether trial court	
erred in rendering summary judgment for defendant.	
Your Mansion Real Estate, LLC v. RCN Capital Funding, LLC	316
Mortgage release statute (§ 49-8); claim that trial court erred in not dismissing	
complaint on ground that plaintiff was not aggrieved pursuant to § 49-8 because	
it did not suffer any damages and, therefore, did not have standing; whether	
trial court erred in sustaining plaintiff's objection to certain questions asked of	
defendant's corporate witness concerning whether there existed common practice	
whereby borrowers recontact defendant if they have not timely received requested	
mortgage release; claim that trial court improperly rejected special defense that	
plaintiff had duty to mitigate, but failed to mitigate its statutory damages; claim	
that § 49-8 (c) was unconstitutional as applied to case in violation of eighth and	
fourteenth amendments to federal constitution.	